

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



JAN GRAHAM
ATTORNEY GENERAL

CAROL CLAWSON
Solicitor General

REED RICHARDS
Chief Deputy Attorney General

PALMER DePAULIS
Director of Public Policy & Communications

February 24, 1995

Todd Smith
WHITEING & THOMPSON
Attorneys at Law
1136 Perl Street, Suite 203
BOULDER CO 80302

Re: 1995 Distribution Schedule--Duchesne/Strawberry River System

Dear Todd:

Enclosed is a copy of the State Engineer's Motion to the District Court for a 1995 interim distribution schedule on the Duchesne/Strawberry River System in the context of the general water adjudication action currently pending in the Uinta Basin.

In years past, these documents have been sent to Dan Israel, but Rob has informed me to send all such documents to your firm. I spoke with Rob about this on the phone this morning, and he asked that I send the documents directly to you.

As I explained to Rob, the distribution schedule is based on the delivery schedules in the revised Ute Indian Water Compact, and provides all users, including the Ute Indian Tribe, with four acre-feet of water per acre. This is basically the same distribution order that has been used for the past twenty years, and neither the Tribe nor the BIA has ever objected--primarily because of the Tribe's early priority date.

Nevertheless, if you have any question, please do not hesitate to contact me. Best regards.

Very truly yours,


MICHAEL M. QUEALY
Assistant Attorney General

Letter to Todd Smith
February 24, 1995
PAGE TWO

Enclosures

cc: Robert L. Morgan, State Engineer
cc: Jerry D. Olds, Assistant State Engineer
cc: Lee Sim, Assistant State Engineer
cc: John H. Mabey, Jr., Assistant Attorney General

MMQ/jr